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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 HERBERT LUTZ,

11 Plaintiff,

12 vs.

13 SAFEWAY, INC., a non-governmental  
14 corporation, and DOES 1-5,

15 Defendant.

No. 2:21-cv-01255

NOTICE OF REMOVAL TO  
FEDERAL COURT

16 Please take notice that Defendant Safeway Inc. hereby removes to the United  
17 States District Court for the Western District of Washington the action described below.  
18 On August 26, 2021, Defendant Safeway Inc. was served with a summons  
19 (**Attachment 1**) and complaint (**Attachment 2**) in an action entitled *Herbert Lutz v.*  
20 *Safeway, Inc.*, King County Superior Court No. 221-2-11279-6 SEA. The first date upon  
21 which Safeway Inc. received a copy of this complaint was August 26, 2021.

22 Safeway Inc. is aware that Plaintiff is claiming more than \$75,000.00 in this matter.  
23 There is complete diversity because the Plaintiff is a citizen of the State of Washington  
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NOTICE OF REMOVAL TO  
FEDERAL COURT - 1

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Turner Kugler Law, PLLC

6523 California Ave SW #454  
Seattle, WA 98136  
(206) 659-0679

1 and Defendant Safeway Inc. is a corporation organized under the laws to the State of  
2 Delaware with its principle place of business in the State of California.

3 This court has original jurisdiction over this action pursuant to 28 U.S.C. §1332(a)  
4 because it is between citizens of different states and the amount in controversy exceeds  
5 \$75,000. This claim is removable to federal court by the defendant pursuant to 28 U.S.C.  
6 §1441 based on diversity jurisdiction.

7 **INTRADISTRICT ASSIGNMENT**

8 The case is currently pending in King County so LCR 3(e) indicates it will be  
9 initially assigned to a Seattle Judge.

10 A civil case cover sheet is attached as **Attachment 3**.

11 Dated: September 15, 2021.

12 TURNER KUGLER LAW, PLLC

13 By: s/ John T. Kugler  
14 John T. Kugler, WSBA # 19960  
Attorney for Defendant Safeway Inc.



CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorney for Plaintiff:

John J. Polito  
Law Offices of John J. Polito  
9 Lake Bellevue Dr., Ste. 200  
Bellevue, WA 98005  
john@politolawoffices.com

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

none

s/ John T. Kugler

JOHN T. KUGLER, WSB #19960  
Attorney for Defendant KCHA  
TURNER KUGLER LAW, PLLC  
6523 California Ave SW #454  
Seattle, WA 98136-1833  
Telephone: (206) 659-0679  
E-mail: [john@turnerkuglerlaw.com](mailto:john@turnerkuglerlaw.com)

NOTICE OF REMOVAL TO  
FEDERAL COURT - 3

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